

JAN 06 2005

REMARKS

Claims 1-35 are pending. Claims 1-35 have been rejected. Claims 1-35 remain in the case for reconsideration. Claims 1-13 and 23-27 have been amended to correct typographical errors. New claims 36-61 have been added. Reconsideration is requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1-10, 12-17, 20-25, 28-32 and 34 are rejected under 35 U.S.C. 102(e) as being unpatentable over Sistanizadeh et al. (US 6,681,232).

Applicants wish to “swear behind” the Sistanizadeh reference. Although the June 7, 2000 effective filing date for 102(e) purposes of Sistanizadeh predates the effective filing date of the present application (present application filed June 29, 2001), Applicants conceived of the invention prior to the June 7, 2000 effective filing date of Sistanizadeh and then were diligent in reducing the concept to practice up until the time the patent application was filed on June 29, 2001. Attached is a Section 131 Declaration signed by one of the inventors of the present application that attests to prior conception of the present invention as well as an invention disclosure dated April 19, 2000.

Applicant would also further like to note that Sistanizadeh requires a network connection and network connectivity for the ISP to gather information from a user's computer. Sistanizadeh would not be useful for gathering information from a user's computer if there were network conductivity problems because in the case of network conductivity problems the ISP will not be able to access a user's computer.

Applicant would also further like to note that the Sistanizadeh reference does not disclose or appear to be capable of reading hardware information from a user's computer. For example Sistanizadeh is not capable of reading revision information of a network card such as an alphanumeric revision level, vendor part numbers, or rack position/location information of a network device itself.

Claim Rejections – 35 U.S.C. § 103

Claims 11, 18-19, 26-27, 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sistanizadeh et al. in view of Pascucci et al. (US 6,115,713).

Applicants wish to “swear behind” the Sistanizadeh reference.

New Claims

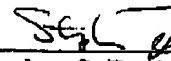
New claims 36-61 have been added. New claims 36 and 54 include the feature that the portable reader is configured so that a user can gather and record network device data specific to the network device without relying on a network connection. This feature of the present invention is disclosed in page 5 of the present specification, lines 5-7.

New claim 49 includes the feature of reading the data with an external reader mechanism over the data read port without the presence of network conductivity. This feature of the present invention is disclosed in page 5 of the present specification, lines 18-19.

CONCLUSION

For the foregoing reasons, reconsideration and allowance of claims 1-35 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,



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